

Application No.: 09/538,589

Docket No.: H-204246

REMARKS

Claims 1-6 are pending and rejected by the Office Action. Applicant has amended the Abstract. Withdrawal of the rejection to the claims is respectfully requested in view of the following remarks.

I. Formal Matters

Per the Examiner's suggestion on page 2 of the Office Action, Applicant has amended the Abstract to include the proper language format. Withdrawal of the objection to the Abstract is respectfully requested.

II. Claims 2-6

Applicant respectfully points out that the Examiner has not set forth any substantive discussion in support of his rejection of dependent Claims 2-5 in view of the teachings of the applied art. The Examiner has merely stated that claims 2-5 are rejected in view of the applied art. Applicant respectfully requests that the Examiner set forth, with specificity, the underlying analysis for his § 103 rejection of claims 2-5.

Applicant respectfully points out that the Examiner has not set forth any substantive discussion of previously added independent Claim 6 in view of the teachings of the applied art. The Examiner merely stated that Claim 6 is rejected. Applicant respectfully points out that although Claim 6 substantially incorporates the subject matter of Claim 1, Claim 6 additionally includes limitations that were not given any substantive written analysis in the most recent non-final Office Action. Applicant respectfully requests that the Examiner set forth, with specificity, the underlying analysis for his § 103 rejection of claim 6.

III. The Claims Define Patentable Subject Matter

The Office Action rejects Claims 1-6 under 35. U.S.C. §103(a) as being unpatentable over U.S. 6,243,581 to Jawanda ("Jawanda") in view of U.S. 6,362,730 to Razavi et al. ("Razavi"). The rejection is respectfully traversed.

Applicant agrees with the Office action that Jawanda does not teach *"the feature of having the wireless local area network communications systems operated inside a vehicle or its*

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proximity" (see Office Action at page 3, lines 6-7). In addition, Applicant respectfully points to col. 2, lines 48-49, col. 4, lines 26-30, and col. 5, lines 46-48, which explicitly states that Jawanda's wireless local area network (WLAN 12) is either an intranet of a business or campus housing (i.e. a fixed, non-mobile location) in which a mobile terminal travels to and from a location distant from the WLAN into a service area of the WLAN to provide seamless roaming between wireless data communications networks with a mobile terminal (see col. 1, lines 11-14). Conversely, the present invention clearly recites a WLAN located in a vehicle (i.e., a mobile location). Because Jawanda does not provide all of the claimed features of the invention, the Examiner attempts to use Razavi to make up for the deficiencies of Jawanda to support an obviousness-type rejection. Applicant respectfully disagrees.

Firstly, the Office Action indicates that Razavi discloses the use of a "*wireless local area network unit (22) inside a vehicle (20)*" (see Office Action at page 3, line 12). Applicant respectfully disagrees. The 'wireless local area network unit (22)' referred to by the Examiner, is merely SparcStation UPN server (see col. 6, lines 14-15) and is completely deficient of any 'wireless local area network' feature whatsoever. In referring to Figure 2 of Razavi, it can be clearly seen that the unit (22) is completely hardwired to each associated module 23, 24, 26-27 and does not function as a wireless local area network. Conversely, in referring to the vehicle embedded WLAN unit of the present invention at reference numeral 150 in Figure 2, it can be clearly seen that this claimed device directly receives wireless communications and is positively claimed as a wireless local area network unit.

Secondly, the Office Action indicates that Razavi discloses the use of a "...*wireless wide area network (not shown)*..." (emphasis added). Applicant disagrees with the Examiner on this point. Razavi is completely deficient of any teaching relating to a wireless wide area network. Additionally, Razavi does not teach, as suggested by the Office Action, "*a wireless local area network...providing data communication between a wireless wide area network...and a wireless local area network*" (emphasis added, see Office Action at page 3, lines 11-13). Applicant respectfully submits that there must first be a WWAN before there can be data communication between a WWAN and a WLAN. Because no such WWAN is taught, shown, or described by Razavi, this statement is not supported on the merits of Razavi's own teachings.

Thirdly Applicant respectfully submits that Razavi's wireless Ethernet device 28 does not make up for the shortcomings of Jawanda. Specifically, wireless Ethernet device 28 simply provides a means for connecting in-vehicle compute platform 22 to a wireless connection point.

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It does not, however, transform the in-car, hard wired, subnetwork 20 of Razavi into the claimed "wireless local area network."

Because Jawanda in combination with Razavi does not disclose, teach, or suggest all of the claim limitations as recited in independent Claims 1 and 6, the Office action fails to establish a prima facie case of obviousness. See MPEP §2143. The Office Action's statement on page 3, starting at line 7 that Jawanda's system "*can be easily implemented inside a vehicle for providing mobile tele-computer network environment*" is one of impermissible hindsight because Jawanda is specifically directed to an immobile WLAN as opposed to a mobile WLAN as recited by the present invention. Accordingly, there is no suggestion in either Jawanda or Razavi to combine the two references to render the claimed invention. For at least this reason, Claim 1 is allowable over the applied art. Because Claims 2-5 depend directly from Claim 1, Claims 2-5 are allowable over the applied art. Withdrawal of the rejection to Claims 1-6 is respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Any fee believed to be due is set forth in the attached fee transmittal. However, if any additional fee is due, please charge our Deposit Account No. 503145, under Order No. H-204246 from which the undersigned is authorized to draw.

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Respectfully submitted,

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